

IN SENATE OF THE UNITED STATES.

MAY 5, 1836.

Mr. LEIGH, from the Committee on the Judiciary, to which was referred the petition of the heirs of Francis Cazeau, reported the following resolution, which was considered by unanimous consent, agreed to and ordered to be printed :

Resolved, That the memorial of the heirs of Francis Cazeau, and all the documents therewith filed, and the letter of the honorable Louis McLane, Secretary of State, to the honorable Hugh L. White, of the Committee on Revolutionary Claims, of the Senate, dated the 26th April, 1834, and the documents accompanying that letter, relative to the claim of the heirs of the said Francis Cazeau, be referred to the Solicitor of the Treasury ; and that he be, and is hereby, requested to examine the same, and to report to the Senate at its next session, the state of facts which, in his opinion, may be substantiated by any probable evidence ; and, particularly, to inquire and report—

1. Whether or not there is any probable and satisfactory evidence that the said Francis Cazeau did purchase and collect 8,000 bushels, or any other quantity, of wheat, at Montreal, in the beginning of the year 1777, for the use of the American army then expected to return into Canada, under engagement (particular or general) with any officer of the American army, on whose engagements he had reasonable ground to place reliance ? and, if so, whether the said supplies, so purchased by him for the use of the American army, were lost to him in consequence of the American army failing to invade Canada ?

2. Whether or not there is any probable and satisfactory evidence that the three boats loaded with wine, brandy, cheese, tea, shoes, and hats, which it is alleged the said Cazeau sent under cover of a passport of General Burgoyne, in order to be delivered to the American troops, and which were captured on Lake Champlain, by Major Brown, as enemy's goods, were, in truth and in fact, bona fide intended as supplies for the American troops ? and whether or not there is any probable and satisfactory proof that the shipment of the said supplies in the said boats was communicated to any officer or agent of the United States on that frontier, or elsewhere, at the time ?

3. Whether or not there is any probable and satisfactory evidence that the said Francis Cazeau did make advances to procure intelligence, or otherwise, for the use of the troops of the United States, to the amount of \$276 64 ? and if there be any probable and sufficient evidence of the above items of claim, in the opinion of the Solicitor of the Treasury, he is requested to refer to the documents or depositions containing the same, and to state, concisely and generally, the nature of such evidence.

4. That the Solicitor of the Treasury be, and he is hereby, requested further to inquire and report whether J. B. Stewart, who presented the claim of the heirs of the said Francis Cazeau to Congress, at the session of 1816-'17, and who then procured the passing of a bill for the payment of \$42,737 97 to the said Cazeau's heirs, and who received the said sum of money from the Treasury, was the authorized agents of the claimants or not? And,

5. Whether the present memorialists are the heirs of the said Francis Cazeau? and whether Jacob Bigelow is the lawfully authorized agent or attorney in fact, of the said Cazeau's heirs, to assert and prosecute this claim for them, and to grant acquittances for them, if it shall be allowed?